

## **REMARKS**

### **I. Introduction**

Upon entry of the present amendment, claims 10-14 and 16 will be pending in the present application. By the present amendment, drawing sheets have been replaced, claims 9 and 15 have been canceled, and claims 10-14 and 16 have been amended. No new matter has been added herein by the present amendment, as support thereof may be found in the current specification at, *inter alia*, originally filed claims 1 and 6-8.

In view of the foregoing amendments and the following remarks, Applicant respectfully submits that the claims are now in condition for allowance. Applicant points out that the amendments made herein are made without prejudice to the future prosecution of such cancelled, amended or modified subject matter in a related divisional, continuation or continuation-in-part application.

### **II. Objection to the Drawings**

The Office Action objects to the drawings because Figures 5-7 contains words in the French language. Applicant has herein submitted replacement sheets for Figures 5-7, which are entirely in the English language. Applicant thus respectfully submits that the objections to the drawings have been overcome and should therefore be withdrawn.

### **III. Rejection of Claims 14 and 16 Under 35 U.S.C. § 112**

Claims 14 and 16 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

By the present amendment, claim 16 has been amended to delete the phrase "the article of manufacture configured to be read by a computer."

In addition, claim 14 has been amended herein to include, *inter alia*, the limitations of previously pending claim 15, which depended directly from claim 14. In the Office Action, claim 15 was objected to as being dependent upon a rejected base

claim, but otherwise allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Thus, it is respectfully submitted that the indefiniteness rejections of claims 14 and 16 have been overcome and should therefore be withdrawn.

#### **IV. Rejection of Claims 9 to 14 and 16 Under 35 U.S.C. §101**

Claims 9 to 14 and 16 stand rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. Specifically, the Office Action alleges that the claimed subject matter fails to produce a useful, concrete and tangible result. For at least the following reasons, it is respectfully submitted that these rejections should be withdrawn.

As stated above, claim 14 has been amended herein to include, *inter alia*, the limitations of previously pending claim 15, which depended directly from claim 14. In the Office Action, claim 15 was objected to as being dependent upon a rejected base claim, but otherwise allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 14 has also been amended to include the nuclear-fuel-assembly recitations of previously pending claim 9, and to change the "arrangement" limitations therein to "establishing" limitations. In addition, claim 9 has been canceled; and claims 10-13 have been amended herein to depend from independent claim 14, thus including the limitations of previously pending claim 15 as well.

Claim 16 has been amended herein to recite a "computer-readable medium encoded with executable instructions for designing a nuclear fuel assembly ..., the encoded instructions [being] executable by a computer." Thus, it is respectfully submitted that pending claim 16 is now in proper format for a claimed computer-readable medium encoded with a computer program, and is therefore statutory subject matter.

Thus, for at least the preceding reasons, it is respectfully submitted that the rejections under 35 U.S.C. §101 should be withdrawn.

**V. Conclusion**

It is respectfully submitted that all pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
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Appendix